

**UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO
SENTENCING MINUTE SHEET**

CR No: 15-2855 JH		USA vs.: Vigil									
Date: May 12, 2016		Name of Deft: Shane Lewis Vigil									
Before the Honorable: Judith C. Herrera											
Time In/Out:		9:32 a.m. – 10:15 a.m.			Total Time in Court (for JS10):			43 minutes			
Clerk:		I.Duran			Court Reporter:			P.Baca			
AUSA:		Raquel Ruiz-Velez & Kyle Nayback			Defendant's Counsel:			Alonzo Padilla			
Sentencing in:		Albuquerque, NM			Interpreter:			None			
Probation Officer:		Mindy Pirkovic			Interpreter Sworn?			Yes		No	
Convicted on:		<input checked="" type="checkbox"/>	Plea		Verdict		As to:	<input checked="" type="checkbox"/>	Information		Indictment
If Plea:		<input checked="" type="checkbox"/>	Accepted		Not Accepted		Adjudged/Found Guilty on Counts: 1, 2, 3				
If Plea Agreement:		<input checked="" type="checkbox"/>	Accepted		Not Accepted		No Plea Agreement		Comments:		
Date of Plea/Verdict:		1/6/16		PSR:	<input checked="" type="checkbox"/>	Not Disputed		Disputed	<input checked="" type="checkbox"/>	Courts adopts PSR Findings	
Evidentiary Hrg:		<input checked="" type="checkbox"/>	Not Needed		Needed		Exceptions to PSR:				
SENTENCE IMPOSED				Imprisonment (BOP):			71 months as to each count; said terms to run concurrently for a total of 71 months				
Supervised Release:		3 years as to each count; said terms to run concurrently						Probation:			
REC		500-Hour Drug Program			BOP Sex Offender Program			Other:			
ICE		Court recommends ICE begin removal proceedings immediately or during service of sentence									ICE not applicable
SPECIAL CONDITIONS OF SUPERVISION											
No re-entry without legal authorization						Home confinement for months days					
Comply with ICE laws and regulation						Community service for months days					
<input checked="" type="checkbox"/> Participate in/successfully complete subst abuse program/testing,						Reside Residential Reentry Center for up to 6 months					
<input checked="" type="checkbox"/> Participate in/successfully complete mental health program						Register as sex offender					
<input checked="" type="checkbox"/> Refrain from use/possession of alcohol/intoxicants						Participate in sex offender treatment program					
<input checked="" type="checkbox"/> Submit to search of person/property/auto						Possess no sexual material					
<input checked="" type="checkbox"/> No contact with victims						No computer with access to online services					
<input checked="" type="checkbox"/> No entering or loitering near victim's residence, employment, etc						No contact with children under 18 years					
Provide financial information						No volunteering where children supervised					
Grant limited waiver of confidentiality						Restricted from occupation with access to children					
<input checked="" type="checkbox"/> Refrain from use and possession of synthetic cannabinoids, etc.						No loitering within 100 feet of school yards					
<input checked="" type="checkbox"/> No possession of a firearm, ammunition, destructive device or any other dangerous weapon						Participate in an educational or vocational program approved by the Probation Officer					
Standard & Mandatory Conditions: Deft must cooperate in the collection of DNA; deft must participate in approved											
<input checked="" type="checkbox"/> OTHER:		program for domestic violence prevention.									
Fine: \$		0.00				Restitution: \$			Not yet determined (See J&C for details)		
SPA: \$		300.00 (\$100 for each count)				Payment Schedule:		<input checked="" type="checkbox"/>	Due Immediately		Waived
OTHER:											
Advised of Right to Appeal			<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement							
<input checked="" type="checkbox"/> Held in Custody				Voluntary Surrender							
<input checked="" type="checkbox"/> Recommended place(s) of incarceration:				FCI, Florence, CO to be close to family & recommends that he be allowed to complete his H.S. diploma at the Sandoval County Detention Ctr.							
Dismissed Counts:											
OTHER COMMENTS:		Defense counsel has no objections to PSR. Ct. notes all documents have been reviewed. Ct. makes inquiry. Govt. makes argument as to why the plea agreement should be accepted & requests a sentence									

at the high end of the guideline. Defense counsel makes argument & requests acceptance of the plea agreement & a sentence that is reasonable. Deft addresses the Court. Govt. responds & requests a sentence of 71 months & 3 years supervision & states that the victim's mother Letitia Cochran wishes to address the Court. Defense has no objection to a sentence of 71 months & 6 months to a reentry center. Victim's mother addresses the Court. Govt. requests leave to keep restitution open for 90 days. Defense has no objection. Ct. makes findings & accepts plea agreement. Ct. has reviewed the PSR factual findings & has considered the sentencing guidelines & the 3553 factors & imposes sentence. Defense counsel requests designation at FCI, Florence, CO to be close to family & requests that deft be allowed to complete his high school diploma at Sandoval County Detention Ctr..